

ASSEMBLY BILL

No. 1133

Introduced by Assembly Member Koretz

February 21, 2003

An act to add Section 241 to the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 1133, as introduced, Koretz. Employment.

Under existing law, an employee or the Labor Commissioner may bring an action against an employer for nonpayment of wages. An employee who brings this action is entitled to recover costs and attorney's fees.

This bill would provide that if a judgment for unpaid wages remains unsatisfied for 6 months after the judgment becomes final, the amount of the judgment doubles, and then doubles again for each additional 6-month period the judgment remains unsatisfied. An employee or the Labor Commissioner may recover costs and attorney's fees for enforcing a judgment under this provision.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 241 is added to the Labor Code, to read:
2 241. (a) If any judgment for nonpayment of wages entered
3 against an employer for a violation of any provision of this article
4 remains unsatisfied for a period of six months after the time to
5 appeal therefrom has expired or any appeal therefrom has been
6 concluded, the amount of the judgment is doubled.

1 (b) Thereafter, for each additional six-month period the
2 judgment remains unsatisfied, the amount of the judgment is again
3 doubled.

4 (c) The court shall award costs and reasonable attorney's fees
5 to the judgment creditor or the Labor Commissioner as assignee
6 of the judgment creditor who enforces a judgment entered
7 pursuant to this section.

